



Local 1146 Bylaws

COMPRISED OF:

INSIDE & PART-TIME WORKERS – CITY OF WOODSTOCK
OUTSIDE WORKERS – CITY OF WOODSTOCK
CITY OF WOODSTOCK PUBLIC LIBRARY
OXFORD COUNTY PUBLIC HEALTH
HUMAN SERVICES – COUNTY OF OXFORD
WASTEWATER TREATMENT – COUNTY OF OXFORD

AFFILIATED WITH:

OXFORD REGIONAL LABOUR COUNCIL

Approved by National January 6, 2020

Table of Contents

INTRODUCTION.....	3
SECTION 1 – NAME.....	3
SECTION 2 – OBJECTIVES.....	3
SECTION 3 – REFERENCES.....	4
SECTION 4 – MEMBERSHIP.....	4
SECTION 5 – AFFILIATIONS.....	5
SECTION 6 – MEMBERSHIP MEETINGS.....	5
SECTION 7 – OFFICERS.....	7
SECTION 8 – EXECUTIVE BOARD.....	7
SECTION 9 – DUTIES OF OFFICERS.....	8
SECTION 10 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS.....	12
SECTION 11 – FEES, DUES AND ASSESSMENTS.....	15
SECTION 12 – NON-PAYMENT OF DUES AND ASSESSMENTS.....	16
SECTION 13 – EXPENDITURES.....	16
SECTION 14 –HONORARIUMS.....	17
SECTION 15 – CHILD CARE, DEPENDENT CARE AND ELDER CARE.....	17
SECTION 16 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS...	18
SECTION 17 – COMMITTEES.....	19
SECTION 18 – COMPLAINTS AND TRIALS.....	21
SECTION 19 – RULES OF ORDER.....	21
SECTION 20 – AMENDMENTS.....	21
SECTION 21 – PRINTING AND DISTRIBUTION OF BYLAWS.....	22
SECTION 22 – LINE OF AUTHORITY.....	22
SECTION 23 – INTERPRETATION.....	22
SECTION 24 – PROPERTY OF THE LOCAL.....	22
SECTION 25 – PREPARATION OF THE COLLECTIVE AGREEMENT.....	23
SECTION 26 – RATIFICATION OF COLLECTIVE AGREEMENT.....	23
SECTION 27 – DESTRUCTION OF PAPER.....	23
SECTION 28 – GOOD AND WELFARE.....	24
APPENDIX A – CUPE NATIONAL EQUALITY STATEMENT.....	25
APPENDIX B – CODE OF CONDUCT.....	26
APPENDIX C – RULES OF ORDER.....	28

INTRODUCTION

Local 1146 of the Canadian Union of Public Employees has been formed to:

- Improve the social and economic well-being of all of its members;
- Promote equality for all members and to oppose all types of harassment and discrimination;
- Promote the efficiency of public services; and
- Express its belief in the unity of organized labour.

The following bylaws are adopted by Local 1146 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organizations' activities. The CUPE National Equality Statement can be found in Appendix A to these bylaws.

CUPE chartered organizations may also wish to adopt a Local Union Code of Conduct that would apply to membership meetings and other functions organized by the chartered organization. The Local Union Code of Conduct can be found in Appendix B to these bylaws.

SECTION 1 – NAME

The name of this Local Union shall be Canadian Union of Public Employees, Local 1146.

Local 1146 consists of the following bargaining units:

- Inside & Part-Time Workers – City of Woodstock
- Outside Workers – City of Woodstock
- City of Woodstock Public Library
- Oxford County Public Health
- Human Services – County of Oxford
- Wastewater Treatment – County of Oxford

SECTION 2 – OBJECTIVES

The objectives of Local 1146 are to:

- (a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- (b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (c) Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers;

- (d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
- (e) Establish strong working relationships with the public we serve and the communities in which we work and live; and
- (f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

SECTION 3 – REFERENCES

Numbers of articles at the end of sections or sub-sections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

SECTION 4 – MEMBERSHIP

(a) Membership

An individual employed within the jurisdiction of Local 1146 can apply for membership in Local 1146 by signing an application and paying the initiation fee set out in Section 11(a) of these bylaws.

(Article B.8.1)

(b) Approval of Membership

At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting object, the applicant(s) will be accepted into membership.

(Article B.8.2)

(c) Oath of Membership

New members will take this oath:

“I promise to support and obey the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union.”

(Article B.8.4)

(d) Continuation of Membership

Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local Union unless the member loses good standing under the provisions of the CUPE National Constitution.

(Article B.8.3)

(e) **Member Obligations**

Members are obligated to abide by the CUPE National Constitution, and these bylaws as amended from time to time.

Members will provide the Recording Secretary and/or Unit Chair of each Unit with their current address, home telephone contact number and where available, an e-mail address. The member will advise the Recording Secretary of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of mail, e-mail blasts or telephone town halls.

In the case of a telephone town hall, the telephone number may be shared with a service provider under contract to the Local Union to provide the technical equipment to support such a virtual meeting.

Upon request, the Local Union will share the telephone contact information with CUPE National or CUPE Ontario. The purpose of sharing this telephone contact information with CUPE National or CUPE Ontario is so that the National Union or Provincial Division can conduct a telephone town hall with members on important matters.

SECTION 5 – AFFILIATIONS

In order to strengthen the labour movement and work toward common goals and objectives, Local 1146 shall be affiliated to and pay per capita tax to the following organization(s):

- The London District CUPE Council
- Oxford Regional Labour Council

SECTION 6 – MEMBERSHIP MEETINGS

(a) **Regular Membership Meetings**

Regular membership meetings of Local 1146 shall be held at a date, time and location to be decided by the Executive annually at the June meeting. Notice of each regular membership meeting outlining the date, time and location shall be given to members at least seven days in advance of the meeting. There shall be no meeting held in July and August.

When a statutory holiday or a situation beyond the control of the Local Union arises, which causes the cancellation of a regular membership meeting, the Executive Board shall reschedule the regular membership meeting, and will give members seven days' notice of the date of the rescheduled regular membership meeting.

(b) **Special Membership Meetings**

Special membership meetings of Local 1146 may be required and shall be called by the Executive Board or may be requested in writing by no fewer than 15 members. The President shall immediately advise members when a special meeting is called and ensure that all members receive at least twenty-four (24) hours' notice of the special meeting, the subject(s) to be discussed, the date, time and location. No business shall be transacted at the special meeting other than that for which the meeting is called, and notice given.

(c) **Quorum**

The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be 10 members, 3 of which shall be members of the Executive Board.

In the event that a quorum is not present at the start of the meeting the Chairperson shall declare all business referred to the Executive Board and shall adjourn the formal meeting.

All officers of the Local who are not able to attend an executive and/or general membership meeting are to contact the Recording Secretary within 24 hours prior to the meeting. Reason for inability to attend to be given.

(d) **Membership Meeting Agenda**

The order of business at regular membership meetings is as follows:

1. Roll call of officers
2. Reading of the Equality Statement
3. Voting on new members and initiation
4. Reading of the minutes of the Previous Meeting
5. Matters arising from the Minutes
6. Secretary-Treasurer's Report
7. Communications and bills
8. Executive Board Report
9. Reports of committees and delegates
10. Nominations, elections, or installations
11. Unfinished business
12. New business
13. Good of the Union
14. Adjournment

(Article B.6.1)

(e) **Bargaining Unit Meetings**

Bargaining Unit meetings may be called to deal with matters that affect only members of the bargaining unit. Such meetings are not to be used to replace regular membership meetings and will not make decisions that affect the Local Union as a whole or another bargaining unit. The Unit Chair shall advise members of the bargaining unit seven days in advance of the meeting providing the time and location and an agenda.

The minimum number of members required to be in attendance for the transaction of business at any bargaining unit meeting shall be five (5) bargaining unit members plus the Unit Chair.

(f) **Debates**

No member, except the Chairman of a Committee making a report, or the mover or seconder of a resolution, shall speak more than five (5) minutes at any one time or more than once on the same question until all members wishing to speak have had an opportunity to do so, when he may be allowed, by permission of the Chair, to speak a second time.

SECTION 7 – OFFICERS

The Officers of Local 1146 shall consist of a President, Vice-President, Recording Secretary, Secretary-Treasurer, three Trustees, and the membership Officer (all of whom shall be elected by the membership at large as per Section 10(b)1 of the bylaws. The terms of office to be two (2) years.

(Articles B.2.1 and B.2.2)

SECTION 8 – EXECUTIVE BOARD

(a) The Executive Board shall include all Officers, except Trustees. All Unit Chairpersons shall also be included as part of the Local Executive Board.

(Article B.2.2)

(b) The Executive Board shall meet at least eight (8) times per year prior to the General Membership Meeting.

(Article B.3.14)

(c) A majority of the Executive Board constitutes a quorum.

(d) The Executive Board shall hold title to any real estate of the Local Union as trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.

(e) The Executive Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.

- (f) Should any Executive Board member fail to answer the roll call for three consecutive regular meetings or three consecutive regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting.

(Article B.2.5)

- (g) Unit Chair is to be elected at Unit meeting.

SECTION 9 – DUTIES OF OFFICERS

Each Officer of Local 1146 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

All Officers must give all properties, assets, funds and all records of the Local Union to their successors at the end of their term of Office.

(Article B.3.9)

All signing Officers of Local 1146 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

(Article B.3.5)

(a) President

The President in office at the time of the Convention of the Canadian Union of Public Employees shall have first preference as Delegate to that convention.

The President shall:

- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
- Interpret these bylaws as required.
- Preside at all membership and Executive Board meetings and preserve order.
- Decide all points of order and procedure (subject always to appeal to the membership).
- Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote, or the President may refrain from casting an additional vote, in which case the motion is defeated.
- Ensure that all Officers perform their assigned duties.
- Fill committee vacancies where elections are not provided for.
- Introduce new members and conduct them through the initiation ceremony.
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership.
- Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.

- The President shall be notified of all Unit meetings
- The President may preside at all Unit elections
(From old Section 5: A. President)

(Article B.3.1)

(b) **Vice-President**

The Vice-President shall:

- If the President is absent or not eligible, perform all duties of the President.
- Preside over membership and Executive Board meetings in the absence of the President.
- If the office of the President falls vacant, be Acting President until a new President is elected through a by-election.
- Render assistance to any member of the Executive as directed by the Executive Board.

(Article B.3.2)

(c) **Recording Secretary**

The Recording Secretary shall:

- Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.
- Record all amendments and/or additions in the bylaws and make certain that these are sent to the National President for approval prior to implementing.
- Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
- Keep a record of all correspondence received and sent out.
- Prepare and distribute all notices to members (membership meeting notices).
- Have all records ready on reasonable notice for the Trustees or auditors.
- Preside over membership and Executive Board meetings in the absence of both the President and Vice-President.
- Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union's funds.
- Performs other duties required by the Local Union, its bylaws or the National Constitution.

(Article B.3.3)

(d) **Secretary-Treasurer**

The Secretary-Treasurer shall:

- Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union.



- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences.
- Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
- Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.
- Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- Where required, not later than February 28th each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid by the member during the preceding calendar year.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union's funds.
- Notify all members who are one month in arrears and report to the Executive Board all members two or more months in arrears in the payment of union dues.

(Articles B.3.4 to B.3.8)

(e) **Trustees**

The Trustees shall:

- Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary, and the committees at least once every calendar year.
- Make a written report of their findings to the first membership meeting following the completion of each audit.
- Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union and report their findings to the membership.
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
 - i. Completed Trustee Audit Program
 - ii. Completed Trustees' Report
 - iii. Secretary-Treasurer Report to the Trustees
 - iv. Recommendations made to the President and Secretary-Treasurer of the Local Union
 - v. Secretary-Treasurer's response to recommendations
 - vi. Concerns that have not been addressed by the Local Union Executive Board.

(Articles B.3.10 to B.3.12)

(f) **Membership Officer**

The Membership Officer shall:

- Guard the inner door at membership meetings and admit no one but members in good standing or Officers and officials of CUPE, except on the order of the President and with consent of the members present.
- Maintain the record of membership attendance at meetings.
- Perform such other duties as may be assigned by the Executive Board from time to time.

(g) **Unit Chairpersons**

The duties of the Unit Chairpersons are the same as the President at the Local level, where applicable within their own Unit only. Newly elected Chairs need to take training applicable to their position within 6 months of installation.

(h) **Unit Vice-Chairpersons**

- If the Unit Chair is absent or not eligible, the Vice- Chair shall perform all duties of the Unit Chair.
- Preside over membership meetings in the absence of the Unit Chair.
- If the office of the Unit Chair falls vacant, be Acting Unit Chair until a new Unit Chair is elected through a by-election.

(i) **Stewards**

Members of each sub-unit shall elect stewards as per their Collective Agreement. The term of office shall be two (2) years.

Stewards in consultation with their Unit Chair and/or National Representative shall be responsible for any grievance and proceed through the grievance procedure.

New Stewards are to attend a training session within 6 months of installation.

SECTION 10 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) **Nominations**

1. Nominations will be received at the regular membership meeting held in the month of October.
2. Nominations will be accepted from members in attendance at the nomination meeting or from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member.
3. To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.
(Articles B.8.1, B.8.2 and B.8.3)
4. A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.
5. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

(b) **Elections**

1. The President and Recording Secretary are elected in even years. The Vice-President, Secretary-Treasurer and Membership Officer are elected in odd years.

2. At a membership meeting, at least one month prior to Election Day, the President will, subject to the approval of the members present, appoint an Elections Committee consisting of a Chief Returning Officer and assistant(s). The committee will include members of the Local Union who are neither Officers nor candidates for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union.
3. The Elections Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Chief Returning Officer.
4. The Chief Returning Officer will be responsible for issuing, collecting, and counting ballots. The Chief Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
5. The voting will take place at the regular membership meeting in November. The vote will be by secret ballot.
6. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
7. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will be taken if necessary, to obtain a majority. On the second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot will be dropped.
8. In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary, until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists; subsequent ballots may be deferred to the next membership meeting.
9. When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

(Article 11.4)
10. Any member may request a recount of the votes for any election and a recount will be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as set out in Section 6(c).
11. All election complaints by members will be submitted in writing to the Chief Returning Officer as soon as possible but in no circumstances, will a complaint be valid if it is filed later than seven days after the election. The Chief Returning Officer in conjunction with the Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.

(c) **Bargaining Sub-Unit Elections**

Nominations and elections for bargaining unit positions will take place bi-annually in the odd numbered years before April 1st of that year. Bargaining unit nominations and elections will be conducted for positions as outlined in their individual Collective Agreements:

- Inside & Part-Time Workers– City of Woodstock
- Outside Workers – City of Woodstock
- Woodstock Public Library
- Oxford County Public Health
- Human Services – Oxford County
- Wastewater Treatment – Oxford County

The voting will take place at a bargaining sub-unit membership meeting by secret ballot. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will be taken if necessary to obtain a majority. On the second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot will be dropped. Opportunities will be made available to accommodate all shifts on voting day.

In regard to the Inside and Part-time workers City of Woodstock Unit, nominations will be held at a Unit meeting the month prior to elections. Elections will be held the following month.

Vice-Chairs will be elected for any Unit when the number of members exceeds 50.

In the case of the nominations and elections of a Unit Chair and Vice-Chair for the Inside & Part-Time Unit (City of Woodstock), these positions must be filled by a representative from the full-time employees and a representative from the part-time employees if possible.

(d) **Installation of Officers**

1. All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office shall be less than one year and no longer than three years.

(Article B.2.4)

2. In the event that any elective office becomes vacant during the normal period between elections, a special election shall be held to fill the vacancy at the next regular meeting.

(From old Section 17: Installation of Officers)

3. The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three-year period. No member who has been a signing Officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed.

4. The Oath of Office to be read by the newly-elected Officers is:

“I, _____, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term.”

[Article 11.6(b)]

(e) **By-elections**

Should an office fall vacant for any reason, the resulting by-election should be conducted as closely as possible in conformity with this section. The term of office for any position filled through a by-election will be the term that the vacated position was initially elected to fulfill.

SECTION 11 – FEES, DUES AND ASSESSMENTS

(a) **Initiation Fee**

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. Each application for membership in the Local Union will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of two dollars (\$2.00) which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

(Articles B.4.1 and B.8.2)

(b) **Readmission Fee**

The readmission fee shall be two dollars (\$2.00).

(Article B.4.1)

(c) **Monthly Dues**

The monthly dues shall be 1.45% of regular wages.

(Article B.4.3)

(d) **Amending Monthly Dues**

The regular monthly dues may be amended at a regular or special membership meeting. The vote must be by secret ballot. Notice of at least seven days at a previous meeting or 60 days in writing must be given.

(Article B.4.3)

(e) **Assessments**

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. Membership approval is required, and the assessment will only be applied after the National President approves the assessment.

(Article B.4.2)

SECTION 12 – NON-PAYMENT OF DUES AND ASSESSMENTS

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union.

A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but may not be required to pay arrears.

(Article B.8.6)

SECTION 13 – EXPENDITURES

(a) Payment of Local Union Funds

Funds can only be spent for valid purposes of the Local Union under the following circumstances:

- When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting;
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members present and voting at a regular or special membership meeting.

(Article B.4.4)

(b) Payment of Per Capita Tax and Affiliation Fees

Authorization to pay per capita tax to CUPE National, to CUPE Ontario Provincial Division, or any labour organization the Local Union is affiliated with, is not required.

(c) Payment of Local Union Funds to Members or Causes Outside of CUPE

In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than \$75.00, a notice of motion must be made at a regular membership meeting and then approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven days after the meeting where notice of motion has been given.

(d) No Officer or member of Local 1146 will be allowed to spend any Local Union funds without first having received authorization under Section 13(a) of these bylaws.

SECTION 14 –HONORARIUMS

Local Union Officers and committee members shall be provided an honorarium as follows:

President	\$500.00	Unit Chair	\$450.00
Vice President	\$300.00	Vice Unit Chair	\$200.00
Recording Secretary	\$450.00	Stewards	\$250.00
Secretary Treasurer	\$400.00	Trustees	\$100.00
Membership Officers	\$50.00		

These honorariums are to be paid at the November meeting of each year, upon completion of their term of office.

All members of the Executive Board must attend at least 50% of the Executive meetings and 50% of the Local Regular Monthly meetings to qualify for the honoraria, unless a valid reason acceptable to the Local has been given for non-attendance.

All Stewards must attend 50% of their Unit meetings and 50% of the Local Regular Monthly meetings to qualify for honoraria, unless a valid reason acceptable to the Local has been given for non-attendance.

SECTION 15 – CHILD CARE, DEPENDENT CARE AND ELDER CARE

Caring for children, dependents or the elderly are barriers to actively participating in the union or to attending membership meetings. Local 1146 is committed to removing barriers within its control so that all members have equal access to participation.

- (a) When it is practical and demand warrants, Local 1146 will provide on-site child care at all Local Union membership meetings. Where on-site child care is not provided, and in the case of dependent care or elder care, members will be reimbursed to a maximum of the living wage for the area for each hour of required care. Reimbursement will be provided upon proof of payment.
- (b) Any member who is on authorized Local 1146 business shall be eligible for child care, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of the living wage for the area for each hour of care required.
- (c) Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

SECTION 16 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

- (a) Except for the President's option [Section 9(a)], all delegates to conventions, conferences, and educationals shall be chosen by election at membership meetings.
- (b) Delegates to the London District CUPE Council shall be elected annually. A member responsible for reporting back to the Local Union membership shall be appointed by the President from among these delegates, and the member appointed shall make a written report at each Local Union membership meeting on proceedings at recent meetings of the Council. The Local Union will reimburse the member's employer for any loss of wages.
- (c) Delegates to the Oxford Regional District Labour Council shall be elected annually. A member responsible for reporting back to the Local Union membership shall be appointed by the President from among these delegates, and the member appointed shall report at each Local Union membership on proceedings at recent meetings of the Council. The Local Union will reimburse the member's employer for any loss of wages.
- (d) All delegates attending conventions, or conferences held outside the town of Woodstock shall be paid transportation expenses (at economy, tourist or coach rates) as determined by the Secretary-Treasurer, and a per diem allowance of ninety dollars (\$90.00) for meals and expenses. The Local Union will reimburse the member's employer for any loss of wages.
- (e) Except as provided for in Section 5, all delegates to conventions/conferences shall be chosen by election by the membership. To be eligible for election members must have attended at least 50% of the meetings in the previous 12 months unless a valid reason acceptable to the Local has been given for non-attendance.
- (f) All delegates elected to conventions and conferences held outside the City of Woodstock shall be paid the most economical and reasonable transportation expenses and accommodation, and a maximum daily allowance of ninety (\$90.00) dollars, which will include all incidentals and phone calls. Reimbursement for travel to be paid at the rate of Canada Revenue Agency rate for tax purposes. All registration fees and an amount equal to any loss in salary and benefits necessitated by attendance at the convention shall be paid by the Local.
- (g) A member attending a convention shall be entitled to a single room.
- (h) Delegates to workshops and educationals held in town shall have no travel allowance. There shall be a per diem allowance of twenty-five dollars (\$25.00) for meals and expenses incurred by attendance at the workshops or educational. The Local Union will reimburse the member's employer for any loss of wages.
- (i) All delegates attending seminars outside of Oxford County shall be paid transportation costs and accommodation, a daily allowance of sixty (\$60.00) dollars. Inside a 60km radius of the member's residence a daily rate of thirty-five (\$35.00) dollars shall be paid. When mileage is paid it shall be at the current rate set by the Local. All registration fees and an amount equal to any loss in salary and benefits shall be paid by the Local.

- (j) Not more than two (2) members per unit shall be allowed to attend weeklong seminars/schools. Where meals are provided, an allowance of twenty-five (\$25.00) dollars per day shall be paid. All registration fees and an amount equal to any loss of salary and benefits shall be paid by the Local.
- (k) A member attending a school/seminar shall be entitled to a single room.
- (l) Attendees to Conventions/Conferences/Schools/Seminars are to make a verbal report at the next membership meeting.
- (m) Meeting at the CUPE Area Office
For grievance/arbitration meetings held at the National Area Office in Kitchener, the Local will pay:
 - i) Loss of salary & benefits, if it is held during regular work hours.
 - ii) Travel to and from the office. Car pooling is recommended.
 - iii) Per diem of \$25.00 per day plus mileage.
- (n) Local 1146 will provide members with their per diem allowance prior to their attending the convention, conference, or educational.
- (o) Local 1146 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.
- (p) Inclement Weather
While attending schools/seminars/workshops inside a 60 km. radius of a member's residence, accommodations may be provided during periods of inclement weather or unforeseen circumstances.

SECTION 17 – COMMITTEES

(a) **Special Committees**

A special committee may be established for a specified purpose and a specified period of time by the membership at a meeting. The members shall be elected at a membership meeting, or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two members of the Board may sit on any special committee as ex-officio members.

Special Committees shall be set up either by election at any meeting or by appointment by the President.

1. **Negotiating Committee**

All members of Local 1146's negotiating committee shall attend Level 1 and Level 2 of CUPE's collective bargaining educationals.

The Negotiating Committees shall consist of members elected by individual units, according to their own collective agreements. (see Section 25)

(b) **Permanent Committees**

There shall be two (2) permanent committees as follows:

The Chairperson of each permanent committee will be elected by the members at a membership meeting. Permanent committees will have a term of two years. The Chairperson and the Executive Board may, with the approval of the membership, jointly appoint other members to serve on a committee. Committees will provide written reports to each regular membership meeting. The Vice-President shall be a member, ex-officio, of each committee.

1. **Bylaw Committee**

This committee will:

- Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.
- Ensure that the Local Union's bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.

2. **Grievance Committee**

This committee will:

- Oversea the handling of all grievances
- Receive copies of all grievances
- Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting.
- When a grievance is not settled in the initial steps provided for in the Collective Agreement, this committee will decide whether or not the grievance should proceed to arbitration.
- If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board.

The committee members will be the elected chairperson and up to six (6) stewards. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages.

SECTION 18 – COMPLAINTS AND TRIALS

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

(Articles B.11.1 to B.11.5)

SECTION 19 – RULES OF ORDER

All meetings of the Local Union will be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these bylaws as Appendix C. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

In situations not covered by Appendix C to these bylaws, the CUPE National Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

Special Rules of Order

With the exception of the foregoing limit on debates, the Rules of Order of this Union shall be those laid down in the Constitution of the Canadian Union of Public Employees.

(From old Section 18: Special Rules of Order)

SECTION 20 – AMENDMENTS

(a) CUPE Constitution

These bylaws are always subordinate to the CUPE Constitution (including Appendix B) as it now exists or may be amended from time to time, and in the event of any conflict between these bylaws and the CUPE Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE Constitution.

(Articles 9.2(c), 13.3 and B.5.1)

(b) Additional Bylaws

A Local Union can amend or add to its bylaws only if:

- (i) the amended or additional bylaws do not conflict with the CUPE Constitution;
- (ii) the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and
- (iii) notice of the intention to propose the amended or additional bylaws was given at least seven days before at a previous membership meeting or 60 days before in writing.

(Articles 13.3 and B.5.1)

- (iv) These By-laws shall not be amended, added to or suspended except upon majority vote of those present and voting at a regular or special membership meeting following seven (7) days notice at a previous meeting or at least sixty (60) days written notice.

(c) Effective Date of Amended or Additional Bylaws

The amended or additional bylaws do not come into effect until they have been approved in writing by the National President. The National President will decide whether to approve the amended or additional bylaws within 90 days of receiving them and will withhold approval only where they conflict with the CUPE Constitution.

(Articles 13.3 and B.5.1)

SECTION 21 – PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 1146 bylaws. Members requesting a copy of these bylaws will be provided a copy in either French or English as requested. Members with special needs may request a copy of the bylaws in larger font.

SECTION 22 – LINE OF AUTHORITY

The Chairperson of each Unit shall be the spokesperson for that Unit.

(From old Section 9: Line of Authority)

SECTION 23 – INTERPRETATION

In these By-laws, masculine pronouns, whenever used, shall include female gender.

(From old Section 19: Interpretation)

SECTION 24 – PROPERTY OF THE LOCAL

The Executive Officers shall hold title to all real estate of the Local as Trustees for the Local. They shall have no right to sell, convey or encumber any real estate without first submitting the proposition to a special meeting and having such proposition approved.

(From old Section 21: Property of the Local)

SECTION 25 – PREPARATION OF THE COLLECTIVE AGREEMENT

- (a) Prior to the expiry date of a Collective Bargaining Agreement, the Negotiating Committees, in consultation with a National Representative of the Canadian Union of Public Employees, shall prepare their new proposed agreements. It shall be the duty of the Negotiating Committees to endeavour to effect their new Agreements before the expiry date of the current Agreements, so that the new Agreements may take effect the day next following expiry of the current Agreements, thus avoiding any necessity for retroactive adjustments.
- (b) Negotiating Committee for each Unit consists of the member holding the highest office for the Unit plus additional members as set out in each collective agreement.
- (c) The Chairperson in office at the time of Notice of Intent to Negotiate will continue as Chairperson of the Negotiating Committee until the end of Negotiations.
- (d) The Local will pay for any loss of salary & benefits for a meeting held during regular work hours.
- (e) The Local will pay for travel to and from the meeting, if held at the National Area Office in Kitchener. Car-pooling is recommended.
- (f) A per diem of \$20.00 per day shall be paid.

SECTION 26 – RATIFICATION OF COLLECTIVE AGREEMENT

Opportunities will be made available to accommodate all shifts on the day to vote for the Collective Agreement. Scrutineers and Membership Officer shall have their wages and benefits paid for.

SECTION 27 – DESTRUCTION OF PAPER

All general correspondence should be kept for a maximum of two (2) years, and this may then be shredded and put out for recycling, to eliminate tracing of said materials. All resolved and arbitrated grievances, minutes of the Local and Treasurer's books, plus memorandums of agreement, along with a copy of all Collective Agreements, must be kept forever.

(From old Section 29: Destruction of Paper)

SECTION 28 – GOOD AND WELFARE

The Executive Board will ensure that the Good and Welfare of the Union is carried out as set-out below:

1. Members who are ill
 - a) Arrange for a card to be sent to members deemed to be ill for a period of not less than five (5) working days.
2. Baby Birth – To arrange for a card to be sent to member.
3. Death
 - a) In the case of the death of a member, a donation of \$75.00 to a charity of the family's choice.
 - b) In the case of the death of a spouse, child, or stepchild a donation of \$50.00 to a charity of the family's choice.
4. When a member retires, he shall be entitled to ten (\$10.00) dollars for each consecutive years of employment with a minimum of ten (10) years of service.

APPENDIX A – CUPE NATIONAL EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation, and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile, or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic, or homophobic hurts and thereby divides us. So too does discrimination on the basis of ability, age, class, religion and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue, or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society, and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all persons deserve dignity, equality, and respect.

APPENDIX B – CODE OF CONDUCT

Local 1146 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

Local 1146 strives to promote core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

Local 1146 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 1146 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 1146 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 1146 sets out standards of behaviour for members at meetings, and all other events organized by Local 1146. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As members of Local 1146 we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement;
- Respect the views of others, even when we disagree;
- Recognize and value individual differences;
- Communicate openly;
- Support and encourage each other;
- Make sure that we do not harass or discriminate against each other;
- Commit to not engaging in offensive comment or conduct;
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating; and
- Take responsibility for not engaging in inappropriate behaviour due to abuse of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding this Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking the person to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Local Union shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of Local 1146, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member's right to access the trial provisions of the CUPE National Constitution.

APPENDIX C – RULES OF ORDER

1. The President, or in his absence, the Vice-President, shall take the Chair at the time specified, at all regular and special meetings. In the absence of both the President and the Vice-President, the Recording Secretary shall act as President.
2. The President shall state every question coming before the Local, and before allowing debate thereon, and immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, and the Local indicates readiness, the question shall then be put. After the President has risen, no member shall be permitted to speak on the motion.
3. A motion to be entertained by the presiding officer, must be seconded, and the mover and the seconder must rise and be recognized by the Chair.
4. A motion to amend, or to amend an amendment, shall be order but no amendment to an amendment which is a direct negative of the resolution shall be in order.
5. On motion, the regular order of business may be suspended, by a two-third (2/3) vote of those present, to deal with urgent business.
6. All resolutions and motions other than those named in Rule 18, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
7. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
8. Any member having made a motion can withdraw it with consent of the seconder, but a motion debated cannot be withdrawn except by a majority vote of those present.
9. When a member desires to speak on a question, or offers a motion, he shall rise in his place and respectfully address the presiding officer; but he shall not proceed further until recognized by the Chair, except to state that he rises to a point of order or question of privilege.
10. When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
11. Every member while speaking shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any reflection of the Local or any member thereof.
12. If a member, while speaking, is called to order, he shall cease speaking until the point is determined, when, if decided in order, he may again proceed.
13. No sectarian discussion, (that is to say, religious discussion), shall be permitted in the meeting at any time.
14. No member, except the Chairman of a committee making a report, or the mover or seconder of a resolution, shall speak more than five (5) minutes at any one time or more than once on the same question until all members wishing to speak have had an opportunity to do so, when he may be allowed, by permission of the Chair, to speak a second time.

15. The President shall take no part in debate while presiding but may yield the Chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
16. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he may give a casting vote, or, if he chooses, refrain from voting, in which case the motion does not prevail and the decision is in the negative.
17. When a question has been put, no motion shall be in order except: (1) to adjourn; (2) the previous question; (3) to lay on the table; (4) to postpone for a definite time; (5) to refer; (6) to divide or amend, which motions shall have precedence in the order named. The first three (3) of these shall be decided without debate.
18. A motion for the previous questions, when regularly moved and seconded, shall be put in this fore: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the A motion for the previous questions, when regularly moved and seconded, shall be put in this fore: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto, (if any), according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
19. A motion to adjourn is in order except; (1) when a member has the floor, and (2) when members are voting.
20. A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen (15) minutes have elapsed.
21. Before the presiding officer declares the vote on a question or after a vote has been declared lost or carried by acclamation and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken, and the Secretary shall count same.
22. If any member shall feel himself personally aggrieved by the decision of the Chair, he may appeal to the Local from such decision.
23. When the decision of the President is appealed from, he shall state his decision, and the reason therefore, from the Chair. The party appealing there from shall state briefly the reason for the appeal, after which without further debate, the question shall be put thus: "Shall the decision of the Chair stand as the decision of the Local?" It shall require a majority vote to sustain such appeal.
24. After a question has been decided any two (2) members who have voted in the majority may at the same or next meeting move reconsideration thereof.
25. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Vice-President.
26. All business done in the Local shall be strictly secret to all outside the Local.
27. All rules and proceedings of debate not herein provided for shall be as defined in the Constitution of the Canadian Union of Public Employees.